

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN JOSE UNIFIED SCHOOL DISTRICT.

OAH Case No. 2016030316

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On February 29, 2016, Student filed a Due Process Hearing Request with the Office of Administrative Hearings, naming San Jose Unified School District. On April 5, 2016, Student filed a Motion to Amend the Due Process Hearing Request. No opposition was received from District.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.<sup>1</sup>

IT IS SO ORDERED.

DATE: April 13, 2016

/s/

JUDITH PASEWARK  
Administrative Law Judge  
Office of Administrative Hearings

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<sup>1</sup> OAH cannot grant Student's request for mediation on April 26, 2016, as the filing of an amended complaint resets all timelines, including the 30 day resolution session period.